

EVALUATION TECHNIQUES FOR QUALITY ASSURANCE OF CONTRACTOR PERFORMANCE

General: In accordance with the "Consequences of Contractors Failure to Perform Required Services" clause, the Federal Bureau of Prisons (BOP) may choose to apply a program review inspection process to either assess the contractor's performance or determine the amount of payment, or both. The following is a description of the program review process.

Program Review is a system for inspecting performance, testing the adequacy of the internal quality controls and assessing risks for all program and administrative areas of contract performance.

The review guidelines will be based on the Contractor's Quality Control Program (QCP), the Statement of Work (SOW), professional guidelines referenced by the SOW, applicable BOP policy and any other appropriate measure within the contract's scope of work.

Contract requirements will be divided into various disciplines, each of which has a number of vital functions. Successful performance in a vital function is essential to successful performance of the related discipline. Each discipline comprises a specific percentage of the overall contract requirement. Deductions will be based on these percentages applied to the overall monthly invoice.

The BOP may, consistent with the scope of contract performance requirements, unilaterally change the vital functions identified with the performance requirements summary. A minimum of 30 calendar days before the beginning of each evaluation period, the Contract Officer will notify the contractor of any exchanges. If the contractor is not provided with the notification, the existing vital functions will continue in effect for the next evaluation period, unless the contract agrees to accept the proposed changes.

The BOP reserves the right to develop and implement new inspection techniques and instructions at any time during contract performance without notice to the contractor.

Management Assessment: Subsequent to award, the Contracting Officer (CO) will convene a meeting in which the BOP and the Contractor will cooperatively assess the contractor's QCP and the BOP's Quality Assurance Program (QAP). The assessment process is intended to facilitate the identification of strategic issues important to the quality assurance and quality control programs and a mutual understanding of these programs by

BOP and contractor staff.

Program Review Steps: Review steps will utilize the findings of the contractor's QCP, reports submitted by the contractor to the BOP, and direct observations, interviews, and analytical determinations.

Generally, program reviews will be of two types:

- A) **Systematic:** These reviews will be scheduled inspections focusing on a specific discipline. Inspections may be performed by on-site BOP monitors or by other parties designated by the CO as representatives of the BOP.
- B) **Ad-Hoc:** These reviews will be conducted as a result of special interests arising from routine monitoring of the contractor's QCP, an unusual occurrence pertaining to the contract or other BOP concerns. These reviews could utilize established program review steps or an entire different inspection approach.

Program Review Findings: At the conclusion of each review, a report will be written and an adjectival rating of contractor performance within each discipline will be assigned. The following grades will be used:

Superior	The program is performing all of its functions in an exceptional manner and has excellent internal quality controls. Deficiencies are limited in number and not serious in nature. Program performance exceeds expectations and demonstrates initiative and exceptional effort.
Good	The program is performing all of its vital functions and there are few deficient procedures within any function. Internal quality controls are such that there are limited procedural deficiencies. Overall performance is above an acceptable level.
Acceptable	This is the "baseline" for the rating system. The vital functions of the discipline are being adequately performed. Although numerous deficiencies may exist, they do not detract from the acceptable accomplishment of the vital functions. Internal quality controls are such that there are no performance breakdowns that would keep the program from continuing to accomplish its mission.
Deficient	One or more vital functions of the program is not being performed at an acceptable level. Internal quality controls are weak, thus allowing for serious deficiencies in one or more program areas.
At Risk	The program is impaired to the point that it is not presently accomplishing its overall mission. Internal quality controls are not sufficient to reasonably assure that acceptable performance can be expected in the future.

Grades below Acceptable may subject the contractor to deductions from the monthly invoice and appropriate administrative action as defined within the contract. The amount of any deduction taken, up to the maximum weight assigned within the Performance Requirements Summary, will be at the discretion of the CO.